



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Appeal of Delta Sign and Crane Service on behalf of Riley-Perman of the following actions of the Planning Commission:

1. Determination that a Zoning Hardship did not exist and denial of a Zoning Variance to increase the maximum sign area for individual businesses on a shopping center identification sign from 100 square feet to 164 square feet at 2350 West Kettleman Lane (Sunwest Plaza-Wal Mart) in an area zoned C-S, Commercial Shopping; and
2. Denial of a request for a Use Permit for a second shopping center identification sign at 2350 West Kettleman Lane (Sunwest Plaza-Wal Mart) in an area zoned C-S, Commercial Shopping Center.

MEETING DATE: January 20, 1993

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council conduct a public hearing to consider the appeal of Delta Sign and Crane Service on behalf of Riley-Pearlman of the following actions of the Planning Commission:

1. Determination that a Zoning Hardship did not exist and denial of a Zoning Variance to increase the maximum sign area for individual businesses on a shopping center identification sign from 100 square feet to 164 square feet at 2350 West Kettleman Lane (Sunwest Plaza-Wal Mart) in an area zoned C-S, Commercial Shopping; and
2. Denial of a request for a Use Permit for a second shopping center identification sign at 2350 West Kettleman Lane (Sunwest Plaza-Wal Mart) in an area zoned C-S, Commercial Shopping Center.

BACKGROUND INFORMATION: As can be seen on the enclosed excerpt from the Lodi Municipal Code, a shopping center in an area zoned C-S, Commercial Shopping Center is permitted a shopping center identification sign of 600 square feet. One hundred square feet of the sign may be used for tenant identification. It is the square footage devoted to tenant identification that the applicant wants to increase. The Planning Commission found no "Zoning Hardship" as defined in Municipal Code Section 17.72.030.

The second part of the appeal is for a Use Permit for a second shopping center sign which is legal if the sign conforms to the restrictions of the code. Since it did not meet these restrictions, the Planning Commission could not approve the request.

APPROVED: _____

Thomas A. Peterson

THOMAS A. PETERSON
City Manager



recycled paper

CC-1

7

Appeal of Delta Sign and Crane Service of Planning Commission's denial of increase in shopping center identification sign size.

January 20, 1993

Page two

At its meeting of January 11, 1993 the Planning Commission held a public hearing to consider the section attached to this communication. The Commission voted 5 to 2 in opposition to the proposed amendment. The majority of the members felt that "piece meal" amendments were wrong and that a totally new ordinance should be considered.

FUNDING: None required.


James B. Schroeder
Community Development Director

JBS/cg

Attachments

CCCD93.1/TXTD.01C

MEMORANDUM, City of Lodi, Community Development Department

TO: CITY COUNCIL
FROM: COMMUNITY DEVELOPMENT DIRECTOR
DATE: JANUARY 20, 1993
SUBJECT: EXISTING LANGUAGE - SHOPPING CENTER IDENTIFICATION SIGNS IN
AREAS ZONED C-S, COMMERCIAL SHOPPING CENTER

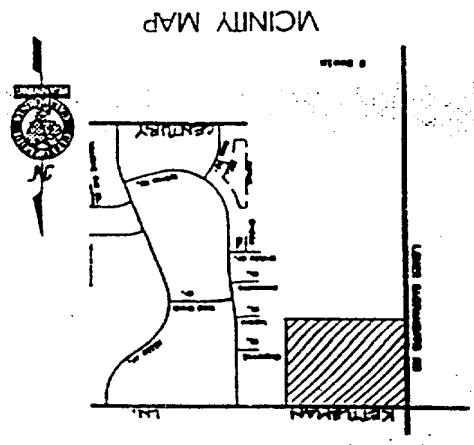
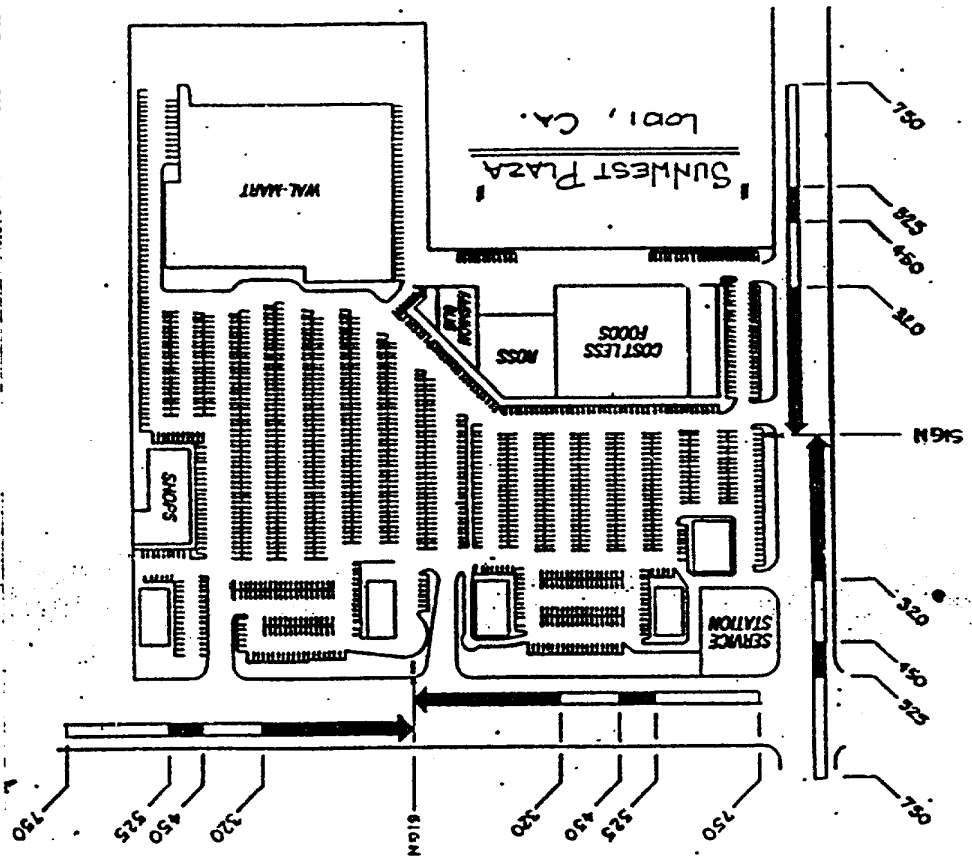
LMC 17.63.270 Shopping Center Identification Signs

Freestanding signs which identify the shopping center:

- A. May not project more than one foot over the public right-of-way and in no case shall such sign extend closer than two feet from the back of curb.
- B. Shall be a maximum of six hundred square feet for all readable surfaces. One hundred square feet of the total sign area may be used for individual business identification signs uniform in size, shape and lettering.
- C. Shall have a maximum height of thirty-five feet and shall be a minimum of ten feet above the finished grade of the existing or future sidewalk; except nonilluminated, nonstructural and nonsupporting decorative spires mounted on top of the signs may exceed the height limit by a height equal to one-third of the distance measured between the top of the portion of the sign identifying the shopping center and the finished grade of the existing or future sidewalk.
- D. Shall be limited to one per shopping center except that shopping centers of ten acres or more may have two freestanding identification signs subject to the approval of the Planning Commission.
- E. Shall not contain "readerboards."

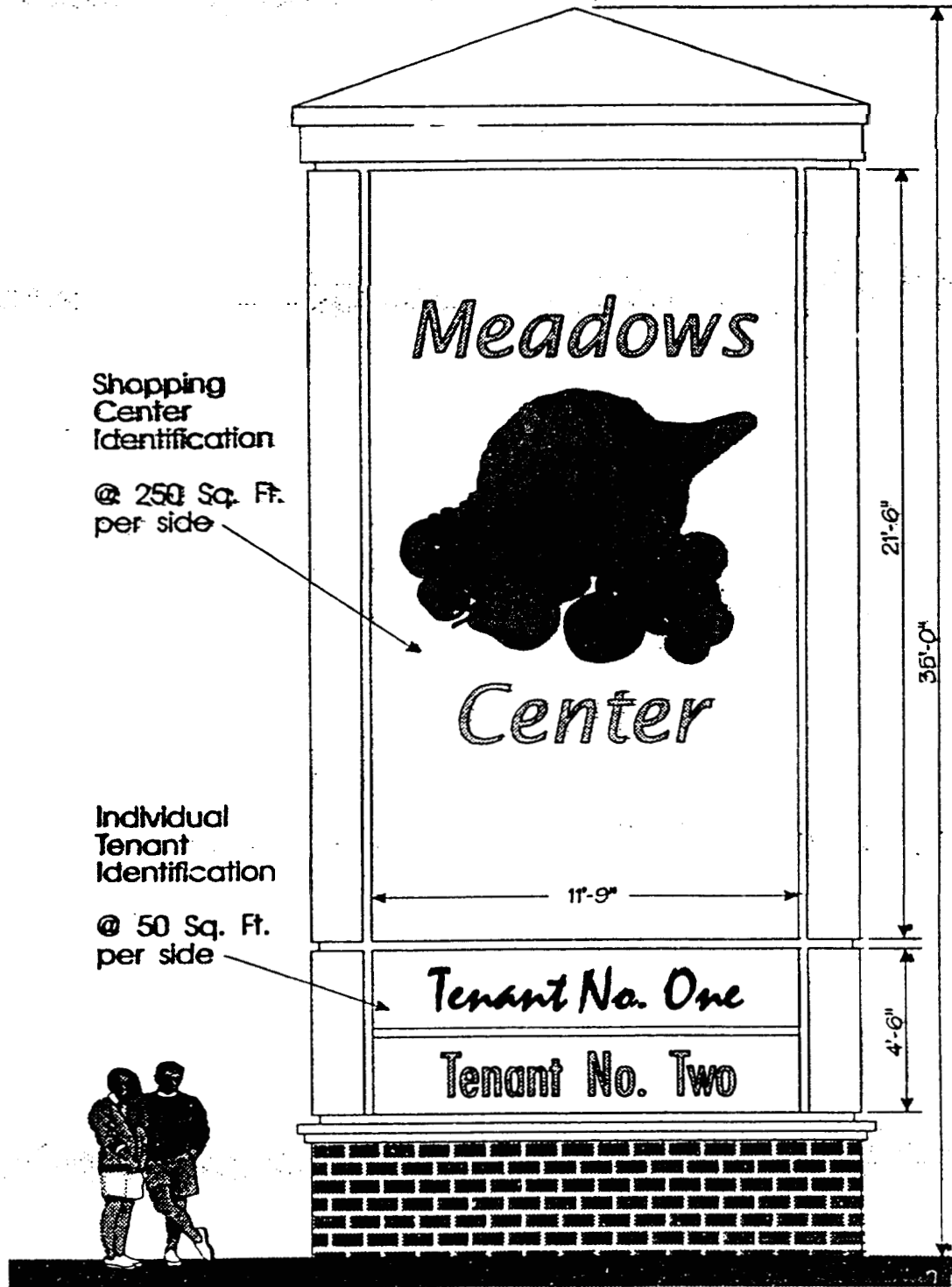
11-09-92

Riley Pearlman
 Second I.D. Sign &
 Increased Sign Size
 2350 West Kettelman Lane
 U-92-19
 A-92-20
 Page 1 of 2
 11-09-92



VICINITY MAP

Illustration of Maximum Size Shopping Center I.D.
Sign @ 600 Sq. Ft.



CITY OF LODI
221 WEST PINE STREET
LODI, CALIFORNIA 95240

ADVERTISING INSTRUCTIONS

SUBJECT: NOTICE OF PUBLIC HEARING

PUBLISH DATES: THURSDAY, DECEMBER 24, 1992

TEAR SHEETS WANTED: THREE

AFFIDAVIT AND BILL TO:

DATED: DECEMBER 16, 1992

ALICE M. REIMCHE, CITY CLERK

ORDERED BY:

Jennifer M. Perrin
JENNIFER M. FERRIN
DEPUTY CITY CLERK

DECLARATION OF MAILING

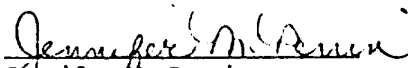
On December 21, 1992 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 21, 1992, at Lodi, California.

Alice M. Reimche
City Clerk


Jennifer M. Perrin
Deputy City Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, January 20, 1993 at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a continued Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi CA, to hear the following matter:

- a) Appeal by Delta Signs & Crane Service, 2100 Sanguinetti Lane, Stockton, California of the Planning Commission's:
1. Determination that a zoning hardship did not exist and denied the request of Delta Signs & Crane Service on behalf of Riley-Pearlman for a zoning variance to increase the maximum sign area for individual businesses on a center identification sign from a maximum of 100 square feet to 164 square feet at 2350 West Kettleman Lane (Sunwest Plaza) in an area zoned C-S, Commercial Shopping Center; and
 2. Denial of the request of Delta Signs & Crane Service on behalf of Riley-Pearlman for a Use Permit for a second shopping center identification sign at 2350 West Kettleman Lane (Sunwest Plaza) in an area zoned C-S, Commercial Shopping Center and waived the one-year reapplication period.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearing.

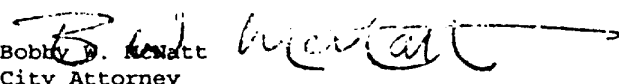
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Clerk, 221 West Pine Street, Lodi, California, at or prior to, the Public Hearing.

Dated: December 18, 1992

By Order of the Lodi City Council


Alice M. Reimche
City Clerk

Approved as to form:


Bobby D. Matt
City Attorney

DELTA SIGNS APPEAL
MAILING LIST
EXHIBIT B

James B. Schroeder
Community Center Director

Delta Signs & Crane Service
2100 Sanguinetti Lane
Stockton, CA

DECLARATION OF MAILING


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Alice M. Reimche
City Clerk

Approved as to form: -


Bobby W. McNatt
City Attorney

DELTA SIGNS APPEAL
MAILING LIST
EXHIBIT B

James B. Schroeder
Community Center Director

Delta Signs & Crane Service
2100 Sanguinetti Lane
Stockton, CA

Wal-Mart 1789
Lodi, California
(209)-368-6696

RECEIVED

FEB-6 PM 1:55

CITY CLERK
CITY OF LODI

Dear Mr. Pennino,

Just a note of thanks for the support you demonstrated at the meeting.

Wal-Mart does indeed intend to be a good neighbor and we look forward to future involvement in the community.

If ever we may be of service to you, or the city council, please contact me here at the store, at your discretion.

Just to add, I was truly impressed with the fine selection Lodi has chosen for their city council, I look forward to talking with you at the luncheons and benefit dinners around the community.

Respectfully Yours,



Ralph Wooldridge
Store Manager

1/20/93
CC-53 (6)
CC-171
CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY C. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

January 22, 1993

Mrs. Penny Patti
c/o Delta Signs and Crane Service
2100 Sanguinetti Lane
Stockton, CA 95205

Dear Mrs. Patti:

RE: Appeal of Planning Commission Denial
Zoning Variance - Second Shopping Center I.D. Sign
Sunwest Plaza
2350 West Kettleman Lane

At its meeting of Wednesday, January 20, 1993 the Lodi City Council approved the appeal of Delta Sign and Crane Service on behalf of Riley-Pearlman and Wal Mart Stores of the following actions of the Planning Commission:

1. Denial of a Zoning Variance to increase the maximum sign area for individual businesses on a shopping center identification sign from 100 square feet to 164 square feet at 2350 West Kettleman Lane (Sunwest Plaza - Wal Mart) in an area zoned C-S, Commercial Shopping District; and
2. Denial of a request for a Use Permit for a second shopping center identification sign at 2350 West Kettleman Lane (Sunwest Plaza - Wal Mart) in an area zoned C-S, Commercial Shopping Center.

You may now proceed to apply for the necessary construction permits for the two shopping center identification signs. It should be noted that the sign must conform to what the City Council approved. The only exception could be the names of the three major tenants appearing below the Sunwest Plaza logo. Any other deviations from the approved signs will require City Council approval.

Sincerely,


JAMES B. SCHROEDER
Deputy City Clerk

cc: Community Development Department
City Attorney
bcc: City Clerk